

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00017

Tamala Michelle Crawley,
Plaintiff,

v.

Commissioner, Social Security Administration,
Defendant.

Before BARKER, *District Judge*

ORDER

On January 13, 2020, plaintiff Tamala Michelle Crawley filed this civil action pursuant to the Social Security Act, 42 U.S.C. § 205(g), for judicial review of the Commissioner's denial of plaintiff's application for social security benefits. Doc. 1. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 2.

On January 15, 2020, plaintiff filed a motion requesting to pay the filing fee in installments accompanied by no affidavits or cause other than that plaintiff was "unable to pay the full amount at this time." Doc. 3. The court denied that motion and ordered plaintiff to either: (1) pay the statutory filing fee of \$400.00, (2) submit a completed application to proceed *in forma pauperis*, or (3) resubmit a motion requesting a payment plan, including the basis for its necessity. Doc. 7.

Thereafter, plaintiff re-filed the same motion, amended only to add an "affidavit" stating that plaintiff could not pay the entire filing fee at that time. Doc. 9. The document was not signed by plaintiff and does not provide her income, liquid assets, debts, or any other financial information. Doc. 9-1. On February 10, 2020, the magistrate judge issued a report, recommending dismissal of plaintiff's complaint for failure to comply with a court order and failure to prosecute. Doc. 10. Plaintiff's counsel was served with the report via the court's

CM/ECF electronic filing system. More than 14 days have passed since plaintiff received the report and recommendation and no objections have been filed.

Having reviewed the report and recommendation, the court finds no clear error. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Accordingly, the report and recommendation is **adopted** as the opinion of the court. Fed. R. Civ. P. 72(b)(3). Plaintiff's complaint is **dismissed without prejudice** for failure to comply with an order of the court and failure to prosecute. All pending motions are hereby **denied**. The clerk of court is **directed** to close the case.

So ordered by the court on February 26, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge